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Attorney's Docket No.: 09531-033001 / Z00190

Section 8

304 scv

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen C. Ekker et al. Art Unit : 3762  
Serial No. : 09/918,242 Examiner : Unknown  
Filed : July 30, 2001  
Title : INHIBITION OF GENE EXPRESSION USING POLYNUCLEOTIDE ANALOGUES

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed August 15, 2001 (copy enclosed), applicant as a small entity submits herewith the following:

1. Petition for One-Month Extension of Time (1 page);
2. Combined Declaration and Power of Attorney (2 pages);
3. Formal Drawings (10 sheets);
4. Preliminary Amendment (4 pages);
5. Verified Statement Under 37 CFR §1.821(f) (1 page);
6. Sequence Listing in Computer-Readable form;
7. Paper copy of Sequence Listing (6 pages);
8. Check in amount of \$1283 for filing fee, additional claims fee, and missing parts surcharge;
9. Check in the amount of \$55 for Extension of Time; and
10. Postcard.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

November 12, 2001  
Date of Deposit

Caryl C. Harriman  
Signature

Caryl C. Harriman  
Typed or Printed Name of Person Signing Certificate

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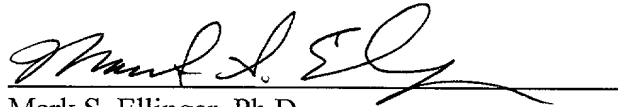
Applicant : Stephen C. Ekker et al.  
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Page : 2

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It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 12, 2001



Mark S. Ellinger, Ph.D.  
Reg. No. 34,812

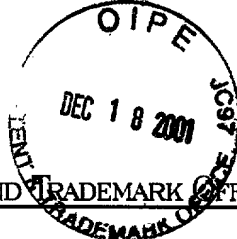
Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

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# UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/918,242	07/30/2001	Stephen C. Ekker	09531-033001

CONFIRMATION NO. 2274

## FORMALITIES LETTER



\*OC000000006429406\*

MARK S. ELLINGER, PH.D.  
Fish & Richardson P.C., P.A.  
Suite 3300  
60 South Sixth Street  
Minneapolis, MN 55402

Date Mailed: 08/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*

- Total additional claim fee(s) for this application is \$863.

- \$423 for 47 total claims over 20.
  - \$440 for 11 independent claims over 3.

- The oath or declaration is missing.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 1283.**

12/20/2001 GTEFFEEA 00000055 061050 09918242  
01 FC:205 65.00 OP  
02 FC:203 423.00 OP  
03 FC:202 462.00 OP  
04 FC:201 37.00 CH 333.00 OP

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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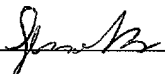
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE